PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, AUGUST 11 19 87

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE COUNCIL CHAMBERS Tuesday EVENING August 11 A.D., 19 87, IN Regular SESSION. PRESIDENT Mark E. GiaQuinta IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS _____ VIZ:

BRADBURY A, BURNS P, EISBART P,
GiaQUINTA P, HENRY P, REDD P,
SCHMIDT P, STIER P, TALARICO P,

ABSENT: _____

COUNCILMAN: _____, _____, _____,

THE INVOCATION WAS GIVEN BY _____

THE MINUTES OF THE LAST REGULAR July 28, 1987, 19____,

_____, 19____,

SPECIAL _____, 19____,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 11th day of August, 1987, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19____,

_____
SANDRA E. KENNEDY, CITY CLERK

COMMUNICATIONS FROM THE MAYOR

July 29, 1987

To the Common Council
Gentlemen and Mrs. Bradbury:

Today, July 29, 1987, I have approved the following ordinances and resolutions passed by the Common Council at this meeting of July 28, 1987

(Bill No. S-87-07-03)
SPECIAL ORDINANCE NO. S-190-87

AN ORDINANCE approving the awarding of Reference #3146, by the City of Fort Wayne, Indiana, by and through its Compusystems, Inc., for the City's Computer System

(Bill No. S-87-07-04)
SPECIAL ORDINANCE NO. S-191-87

AN ORDINANCE approving the awarding of Reference #820, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Business Equipment Company, Standard Stationery Company and the Xerox Corporation, for the Office Service Department

(Bill No. S-87-07-05)
SPECIAL ORDINANCE NO. S-192-87

AN ORDINANCE approving the awarding of Reference #1292, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and the Traffic Signal Company, Inc., for the Traffic Engineering Department

(Bill No. S-87-07-30)
SPECIAL ORDINANCE NO. S-193-87

AN ORDINANCE of the Common Council of the City of Fort Wayne, Indiana, fixing and establishing wages for certain City employees

(Bill No. R-87-07-06)
RESOLUTION NO. R-50-87

A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana, authorizing the transfer of City property to the Fort Wayne Redevelopment Commission

(Bill No. R-87-07-32)
DECLARATORY RESOLUTION NO. R-51-87

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as Lot 32 Centennial Park, Section V, Fort Wayne, Indiana. (Independence Realty {An Indiana Partnership} and R.U.S.H. Solution Service, Inc., D/B/A RUSH, Inc., Petitioners)

(Bill No. G-87-04-16)
(as amended)
GENERAL ORDINANCE NO. G-14-87

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating an alley and street thereof

(Bill No. G-87-07-07)
GENERAL ORDINANCE NO. G-15-87

AN ORDINANCE amending Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana of 1985, entitled "Traffic Code"

(Bill No. Z-87-02-24)
(as amended)
ZONING MAP ORDINANCE NO. Z-18-87

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S-14

(Bill No. S-87-07-16)
SPECIAL ORDINANCE NO. S-194-87

AN ORDINANCE approving the Contract for Res. 6090-87, Walks and Curbs, Michigan Avenue, NSA '87, between Hipskind Concrete Corporation and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

(Bill No. S-87-07-17)
SPECIAL ORDINANCE NO. S-195-87

AN ORDINANCE approving the awarding of Reference #1296, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Stone Street Gravel, France Stone, Klink-Phoenix Trucking, Hixson Sand and Gravel, and Canyon Sand and Gravel, respectively, for various City Departments, through the Street Department

(Bill No. S-87-07-18)
SPECIAL ORDINANCE NO. S-196-87

AN ORDINANCE approving Change Order No. 1 for Res. 6056-86, Delaware-Tecumseh, with M.A. Gaines, Construction Company, in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-07-19)
SPECIAL ORDINANCE NO. S-197-87

AN ORDINANCE approving Change Order No. 1 for Res. 6073-86, Taylor Street from Electric to Frary, with Gaines Construction Company, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-07-20)
SPECIAL ORDINANCE NO. S-198-87

AN ORDINANCE approving Change Order No. 1 for Res. 6039-86, Hoagland-Construction Company, in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-07-21)
SPECIAL ORDINANCE NO. S-199-87

AN ORDINANCE approving Change Order No. 1 and Final for Contract 86-XP-5, 12" Water Main on Ardmore Avenue Drive, with Land, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-07-22)
SPECIAL ORDINANCE NO. S-200-87

AN ORDINANCE approving Change Order No. 1 and Final for Res. 443-87 - Southwood Park Storm Drainage, with Land Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-07-23)
SPECIAL ORDINANCE NO. S-201-87

AN ORDINANCE approving Change Order No. 1 (FINAL) for Water Contract 86-XP-3 N. Clinton (Leo Rd.) Main Extension, with All Star Construction, in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-07-24)
SPECIAL ORDINANCE NO. S-202-87

AN ORDINANCE approving Contract for Lime Sludge Disposal, Fort Wayne Water Pollution Control Plant, between Ad+Soil and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

(Bill No. S-87-07-25)
SPECIAL ORDINANCE NO. S-203-87

AN ORDINANCE approving Change Order No. 1 for Res. 6054-86 - Plaza - Central, with Gaines Construction Company, Inc., in connection with the Board of Public Works and Safety of the City of Fort Wayne, Indiana

(Bill No. S-87-07-26)
SPECIAL ORDINANCE NO. S-204-87

AN ORDINANCE approving the Contract for Res. 451-87, Anderson Avenue Storm Sewer Improvement, between Bercot, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

(Bill No. S-87-07-27)
SPECIAL ORDINANCE NO. S-205-87

AN ORDINANCE approving Contract for Res. 452-87 - South Park Drive Drainage Improvement, between Land Excavating, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

(Bill No. S-87-07-28)
SPECIAL ORDINANCE NO. S-206-87

AN ORDINANCE approving the Contract for Res. 430-86, Edgewater Avenue Sewer Project, between Kreager Brothers Excavating, Inc., and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

(Bill No. S-87-07-29)
SPECIAL ORDINANCE NO. S-207-87

AN ORDINANCE approving the Contract for Resolution 429-86 Morton Street Pump Station, between Hagerman Construction and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

Respectfully your,

Win Moses, Jr.
Mayor

The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

30 July 1987

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-87-07-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
30th day of July 1987.

Robert Hutner
Secretary

Division of Community Development & Planning

FACT SHEET

BILL NUMBER

BRIEF TITLE
Zoning Ordinance Amendment
From R-2 to R-1

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address
600-898 Tennessee Av (South Side Only); 518-20, 600-899 Anderson Av; 500-899 Prospect Av & 500-899 Wagner St

Reason for Project

Downzoning from Multi-Family to Single Family Residential.

Discussion (Including relationship to other Council actions)

20 July 1987 - Public Hearing

Tom Pearson, President of the Spy Run Neighborhood Association stated that this was the second phase of downzoning in this neighborhood. He stated that they are trying to preserve the single family residential character of the area by downzoning. He stated that the majority of the land use in the request is already single family. He stated that they are hoping that this downzoning will also help to maintain if not improve the property values in the area.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

27 July 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation.

Of the 7 members present 6 voted in favor of the motion, one (1) did not vote.

Motion carried.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Spy Run Neighborhood Assn **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	☒ For ☐ Against **Reason Against**
Board or Commission Recommendation	**By** ☒ For ☐ Against ☐ No Action Taken ☐ For with revisions to conditio (See Details column for conditio
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pa

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start — Date June 18, 1987

Projected Completion or Occupancy — Date July 30, 1987

Fact Sheet Prepared by — Date July 30, 1987

Patricia Biancaniello

Reviewed by — Date August 5, 1987

Gary Bacco

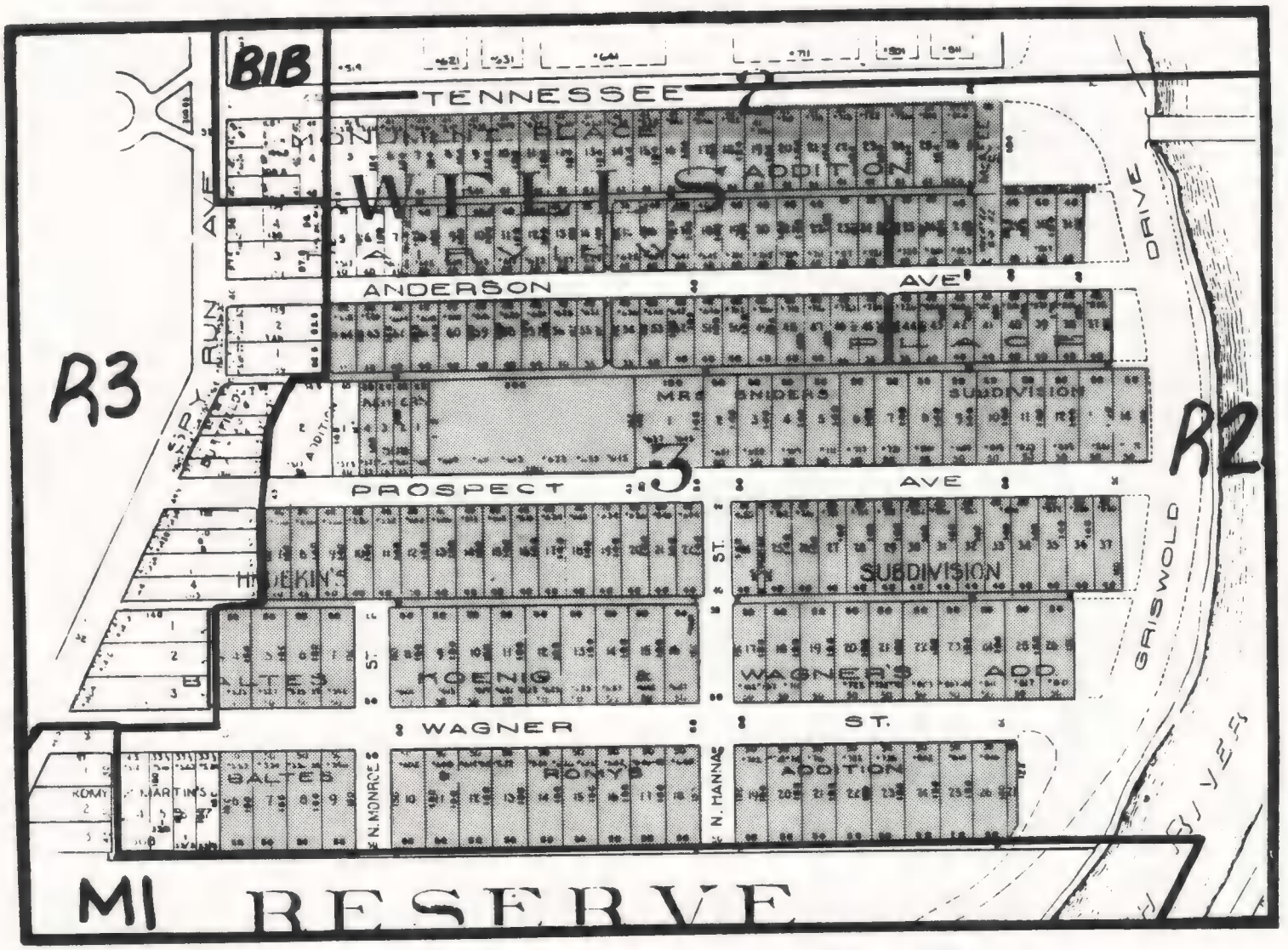
Reference or Case Number

REZONING PETITION #284

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-2 DISTRICT TO AN R-1 DISTRICT.

MAP NO. N-10

COUNCILMANIC DISTRICT NO. 3



ZONING:

R2 RESIDENTIAL DISTRICT
R3 RESIDENTIAL DISTRICT
BIB LIMITED BUSINESS B

LAND USE:

SINGLE FAMILY
DUPLEX
COMMERCIAL

N

SCALE: 1"=300'

DATE: 6-30-87

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 14, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-07-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 20, 1987.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resoluton adopted at the meeting of the Fort Wayne City Plan Commission held July 27, 1987.

Certified and signed this
29th day of July 1987.

Robert Hutner
Secretary

Change of Zone #284

The Spy Run Neighborhood Association requests a change of zone from R-2 to R-1.

Location: East of the 1300-1600 block of Spy Run Ave.

Legal: See file

Land Area: Approximately 27.7 Acres

Zoning: R-2

Surroundings:			
	North	R-3 & R-1	Residential
	South	M-1	Comm/Ind.
	East	River	
	West	R-3	Residential

Reason for Request: Downzoning

Neighborhood Assoc.: Spy Run Neighborhood Association

Landscape: No Response

Neighborhood Plan: This location is within the area identified as the Spy Run Neighborhood Strategy Area in the 1985-87 Community Development and Housing Plan. The plan recommends that the R-2 portion of the neighborhood be downzoned to R-1 to prevent incompatible land uses from encroaching on the single-family character of the neighborhood and stabilize the existing land use mix to maintain the residential quality of the NSA.

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. This proposal is located in the Central Area and Middle Ring. There are three main goals for the Central Area; 1) to maintain existing development, 2) to halt deterioration, and 3) to encourage re-investment. The goal in the Middle Ring is to maintain investments and prevent deterioration in existing neighborhoods.

Planning Staff Discussion:

The neighborhood association is requesting a general downzoning of properties as indicated on the accompanying map. There has been a recent resurgence of neighborhood identity and resolution regarding their residential integrity and reinvestment issues. Downzoning the properties would assist in the unification of the area, and should help preserve the integrity and beauty of the neighborhood.

We feel that the association should be commended on the effort that they have put forth on this and similar issues, and should be assisted in achieving their goals. They have recently downzoned properties north of this petition site, and are well on the way to establishing a well defined, and articulate neighborhood association that is interested in maintaining existing development and encouraging reinvestment in the existing housing stock.

Recommendation: Do Pass

1) Approval will not adversely impact the immediate area.

2) Approval will assist in solidifying the residential integrity of this area of the city.

3) Approval will encourage re-investment in the existing housing stock and promote improvements in the value of neighborhood voices in government.

The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

30 July 1987

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-87-07-09

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
30th day of July 1987.

Robert Hutner
Secretary

FACT SHEET

BILL NUMBER

--

Division of Community Development & Planning

BRIEF TITLE Zoning Ordinance Amendment'

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

1921 thru 2005 Edsall Avenue and
1932 thru 2030 Birchwood Avenue

Reason for Project

Construction of an apartment for the elderly.

Discussion (Including relationship to other Council actions)

20 July 1987 - Public Hearing

Reverend Jesse White, of True Love Baptist Church, stated that they were asking for the rezoning in order to allow for the construction of the 50 unit 1-bedroom apartment facility for the elderly.

Betty Stotler, with the Harvester Community Association stated that she would like to see a plan for the project as well as what type of security they would have for the project.

Robert Alspach, 3325 Logan Avenue, stated that the area has a high crime rate and felt that brining in a housing development for the elderly would add to the already high crime rate. He stated he did not feel that this area was safe and questioned the type of security that would be afforded this development.

Reverend White stated in rebuttal that they would be providing adequate security for its residents.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** True Love Baptist Church **City Department** **Other**
Opponents	**Groups or Individuals** Robert Alspach, 3325 Logan **Basis of Opposition** -feared it would increase th crime rate in area
Staff Recommendation	[X] For [ ] Against **Reason Against**
Board or Commission Recommendation	**By** [ ] For [ ] Against [ ] No Action Taken [X] For with revisions to condition **(See Details column for conditio** Perfect to RA
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pa

DETAILS

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

27 July 1987 - Business Meeting

Motion was made to Perfect the request to RA and return it to the Common Council with a DO PASS recommendation.

Of the 7 members present 6 voted in favor of the recommendation one (1) did not vote.

Motion carried.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start Date 15 June 1987

Projected Completion or Occupancy Date 30 July 1987

Fact Sheet Prepared by Date 30 July 1987

Patricia Biancaniello

Reviewed by Date 5 August 1987

Gary Baxter

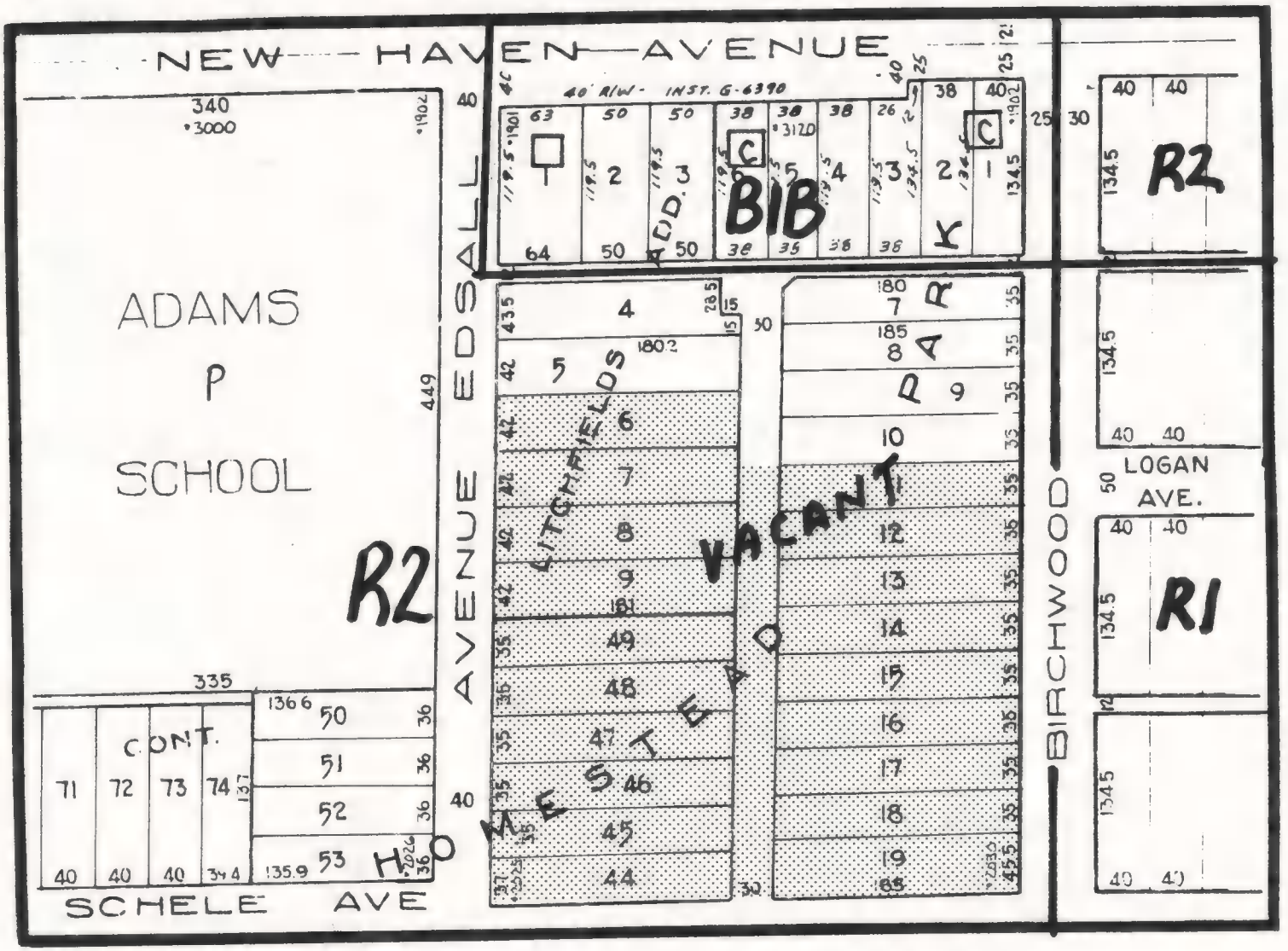
Reference or Case Number

REZONING PETITION # 203

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-2 DISTRICT TO AN R-3 DISTRICT.

MAP NO. Q-3

COUNCILMANIC DISTRICT NO. 1



ZONING:

R1 RESIDENTIAL DISTRICT
R2 RESIDENTIAL DISTRICT
BIB LIMITED BUSINESS 'B'

LAND USE:

- SINGLE FAMILY
- C COMMERCIAL
- P PUBLIC - SCHOOL

N

SCALE: 1" = 100'

DATE: 6-29-87

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 14, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-07-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 20, 1987.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resoluton adopted at the meeting of the Fort Wayne City Plan Commission held July 27, 1987.

Certified and signed this
30th day of July 1987.

Robert Hutner
Secretary

Change of Zone #283

Willard B. Ransom, agent for the petitioners, requests a change of zone form R-2 to R-3.

Location: 1921 thru 2005 Edsall Ave, and 1932 thru 2030 Birchwood Ave.

Legal: Lots 6 thru 9 Litchfields Add. and Lots 11 thru 19 and 44 thru 49 Homestead Park Amend.

Land Area: Approximately 4.31 Acres

Zoning: R-2

Surroundings:			
	North	B-1-B	Commercial
	South	R-2	Residential
	East	R-1	Residential
	West	R-2	School & Residential

Reason for Request: Housing for the Elderly (Multi-family)

Neighborhood Assoc.: Harvester Community Association

Landscape: RA District would at least require development plan approval, require landscape plan be approved by staff landscape architect for development on this site.

Neighborhood Plan: No Comment

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The three main goals in the Central Area, where this request is located; 1) to maintain existing development, 2) to halt deterioration, and 3) to encourage re-investment. Higher density residential uses would be compatible with existing land uses.

Planning Staff Discussion:

The petitioner has requested this change of zone in anticipation of developing the site as housing for the elderly. The immediate area is a mix of residential and commercial uses, with major access routes of New Haven Ave. and Coliseum Blvd.

The Comprehensive Plan indicates that this area should encourage reinvestment in properties, and should attempt to maintain existing developments. There is some sign of deterioration present, possibly due past economic conditions. However, this area has a very active neighborhood association, that has a genuine interest in improvement. The petitioned zoning and proposed use would be compatible with existing development, and may assist in the reclamation of property values, and enhancement of living conditions.

The goals of the Comprehensive Plan and of the local neighborhood association may be best served by approval of this request. With the existing B-1-B along New Haven Ave. (between Edsall and Birchwood), this parcel could serve to buffer other residential uses, and the investment should stimulate the area in general. The perfection of this petition to "RA" from the requested "R-3" would require the approval of a development plan.

Recommendation: Perfect to an RA and Approve

1) Approval would be compatible with the Comprehensive Plan.

2) Approval would be in the best interests of maintaining existing development, while encouraging re-investment in the area.

3) Approval would not create an adverse impact on the immediate area.

4) RA District would accomplish what is proposed by the applicant but would require review and approval of development plan by Plan Commission.

The City of Fort Wayne
LAND USE MANAGEMENT
Division of Community Development & Planning

29 July 1987

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-87-07-10

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of July 1987.

Robert Hutner
Secretary

Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE
Zoning Ordinance Amendment
From M-2 to M-3

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address
3101 Maumee, 1143 Fairview & 2920 Jefferds

Reason for Project
To bring zoning classification up to the use of said property.

Discussion (Including relationship to other Council actions)

20 July 1987 - Public Hearing

Bob Walters, attorney for petitioners stated that the property was presently owned by OMNI Source Inc. He stated the petition to rezone was filed prior to the closing on the property. He stated that they were not requesting the zoning change in order to change, in a material sense, the nature of the activity that goes on on the property from what it has been for over the last 40 years. He stated that when the property was being purchased by OMNI Source they assumped they were zoned M-3. He stated they do have a valid pre-existing non-conforming use. He stated they are requesting now that this be explicity recognized and made an M-3 zone for the reason that they would prefer that there be objectively a confirmation of the use that they are making of the property and intend to make in the future and to reduce, to a certain extent, the subjectivity and all of the uncertainity that could be attendant to simply going through life at that site on the basis of the non-conforming use. He stated he felt that this zoning represents the

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Levin & Sons Inc **City Department** **Other**
Opponents	**Groups or Individuals** Mary Brunner, Mem Pk Assn Glen Nuttle, Anna Huffman **Basis of Opposition** -concern company would expand operations -fear of some hidden motive for request
Staff Recommendation	[X] For [ ] Against **Reason Against**
Board or Commission Recommendation	**By** [X] For [ ] Against [ ] No Action Taken [ ] For with revisions to conditio (See Details column for conditio
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pa

DETAILS

highest and best use of the site and that it would have no adverse impact on the area.

Tom Latchem, Director of EDC endorses the requested rezoning. He stated that from an economic standpoint this rezoning makes sense and gives comfort to the conversations that would result in the relocation of the operation of the Superior Companies from their present No Calhoun location.

The following people spoke in opposition to the request: Glen Nuttle; Anna Huffman - 1214 Fairview; Mary Brunner, with Memorial Pk Neighborhood Association.

The main concern of the opposition was the reason for the request, it was felt they had some ulterior motives. They were concerned that the intention of the rezoning was to enable the company to expand their operation. (A legal non-conforming use cannot be expanded or enlarged, without Board of Zonning Appeals approval.

Brad Bockman, owner of Bockman Brothers Painting Inc., 2920 Jefferds Street stated that he was not necessarily opposed but was concerned about the expansion of the use. He also stated that his property had been included as part of the request, without his consent, and was concerned that the business would expand to the point that it would make his offices uninhabitable due to the noise or other annoyances.

Herman Friedrich questioned how Mr. Bockman's property could be included without his consent.

Wayne O'Brien, Planner with CD&P stated that the petitioner need only represent ownership 51%

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

of the property being petitioner for rezoni

Mr. Walters, in rebuttal stated that the petitioner has been in the scrap processing business since WW II and they have purchase this property for that type of business. He stated there is no other purpose contemplate for this property. He stated that the natu of the operation will not be changed.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

27 July 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommend ation.

Of the 7 members present 6 voted in favor of the recommendation, one (1) did not vote

Motion carried.

Project Start **Date** June 19, 1987

Projected Completion or Occupancy **Date** July 30, 1987

Fact Sheet Prepared by **Date** July 30, 1987

Patricia Biancaniello

Reviewed by **Date** August 5, 1987

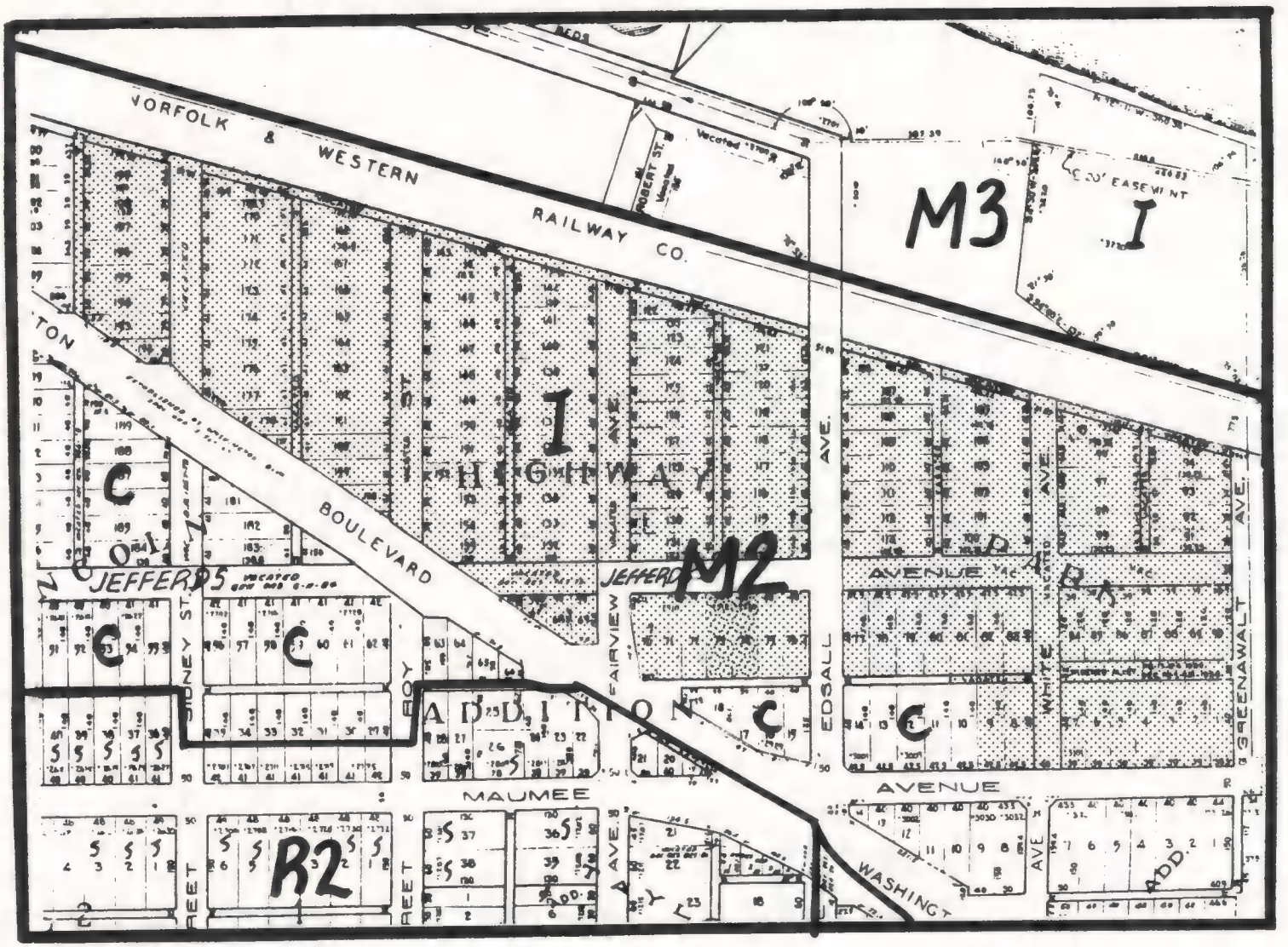
Reference or Case Number

REZONING PETITION #282

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A M-2 DISTRICT TO A M-3 DISTRICT.

MAP NO. Q-6

COUNCILMANIC DISTRICT NO. 1



ZONING:

M-2 GENERAL INDUSTRY
M-3 HEAVY INDUSTRY
R-2 RESIDENTIAL DISTRICT

LAND USE:

S SINGLE FAMILY
C COMMERCIAL
I INDUSTRIAL

N

SCALE: 1" = 300'

DATE: 6-30-87

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 14, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-07-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 20, 1987.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resoluton adopted at the meeting of the Fort Wayne City Plan Commission held July 27, 1987.

Certified and signed this
29th day of July 1987.

Robert Hutner
Secretary

Change of Zone #282

David L. Peters, attorney for Levin & Sons, Inc., et al requests a change of zone from M-2 to M-3.

Location: Generally located on the north side of Washington Blvd. (in the 2600-3100 blocks) and extending north to the railroad tracks.

Legal: See file

Land Area: Approximately 17.6 Acres

Zoning: M-2

Surroundings:			
	North	M-3	Industrial
	South	M-2/R-2	Commercial & residential
	East	M-3	Industrial/commercial
	West	M-2	Industrial & residential

Reason for Request: Not stated

Neighborhood Assoc.: Memorial Park Neighborhood Assn

Landscape: Maintain dense, landscape buffer between subject property and Washington Blvd., sufficiently high to screen view into development on this site.

Neighborhood Plan: No Comment

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The three main goals in the Central Area, where this request is located; 1) to maintain existing development, 2) to halt deterioration, and 3) to encourage re-investment. Heavy industrial uses are consistent with existing land uses north of the railroad, and the Washington Boulevard buffer remains.

Planning Staff Discussion:

It appears that this request would be consistent with existing development in the area, especially to the north of the railroad tracks. Washington Blvd. serves as a buffer, delineating more

intense from less intense uses.

As one of the cited goals for this particular area is the encouragement of reinvestment in properties, approval of this request may be in the best interest of obtaining those goals. The relocation of Superior Companies from their present North Calhoun Street location will provide the much needed expansion for their business while allowing for future development of Head Waters State Park.

Recommendation: Do Pass

1) Approval will not adversely impact the immediate area.

2) Approval would represent the highest use for the parcel.

The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

30 July 1987

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-87-07-12

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
30th day of July 1987.

Robert Hutner
Secretary

Division of Community Development & Planning

FACT SHEET

BILL NUMBER Z-87-07-12

BRIEF TITLE
Zoning Ordinance Amendment
From RA to POD

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address
The intersection of North Bend Drive and W. Jefferson Blvd.

Reason for Project
New Medical Clinic

Discussion (Including relationship to other Council actions)

20 July 1987 - Public Hearing

See Attached Minutes of Public Hearing

27 July 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation.

Of the 7 members present 5 voted in favor of the recommendation one (1) voted against and one (1) did not vote.

Motion carried.

NOTE: Any conditions for a POD are placed on the primary development plan and must be satisfied prior to development plan approval.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Dr. Ramesh Bhat **City Department** **Other**
Opponents	**Groups or Individuals** Diane Noble, Westmoor Assn Janet Lepper, 4932 No Bend Robt Vervalin, 5420 Maurane **Basis of Opposition** -add to traffic hazard in at intersection -detriment to area property values
Staff Recommendation	[X] For [ ] Against **Reason Against**
Board or Commission Recommendation	**By** [X] For [ ] Against [ ] No Action Taken [ ] For with revisions to condition (See Details column for condition
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pa

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change:	☐ No ☐ Yes
Operational Impact Assessment:	

(This space for further discussion)

Project Start — Date June 11, 1987

Projected Completion or Occupancy — Date July 30, 1987

Fact Sheet Prepared by — Date July 30, 1987

Patricia Biancaniello

Reviewed by — Date August 5, 1987

Reference or Case Number

a. Bill No. Z-87-07-12 - Change of Zone #288
From RA to POD
Intersection of North Bend Drive & W. Jefferson Bl.

George Martin, attorney for petitioner Dr. Ramesh Bhat, appeared before the Commission. Mr. Martin stated that in 1967 the property was given approval by the Board of Zoning Approvals for use as a Doctor's Office. He stated that is all they propose to do with the property. He stated though that when it came time to develop the property they discovered that because of the new Sign Ordinance they could not have a sign in an RA District with the exception of a one square flush mounted sign. He stated that they have routed this office for construction and have approval to start construction for a medical office but what they need is

a sign that is why they were requesting the POD designation. He stated that Dr. Bhat intends to use the office for a medical clinic but that the POD would entitle them to allow other professional office uses and if Dr. Bhat is unable to fill his building with doctors they will avail themselves of that privilege. Mr. Martin stated he felt the rezoning was a "win-win" situation for everyone. He stated for his client he would get the use of a sign, for the neighborhood it will provide protections that are required in a POD that are not required at this time with the BZA approval. He stated that this location is not conducive to residential construction and doubted that a residence would be constructed on W. Jefferson Bl at this time. He stated that the office use is the highest and best use for this property. He stated he felt that this construction would help promote property values in the area because at present this is an undeveloped parcel overgrown with weeds. He stated that this development is consistent with the current conditions in the area. He stated that they have no problems with the conditions recommended by staff with regard to the primary development plan with the exception of the setbacks but felt that could be worked out.

Janet Bradbury stated that staff recommended a minimum of 4 feet landscape screen along west property line, but she stated she was more concerned with a 6 foot high screen along North Bend. She stated she did not see any provision for a 6 foot high screen on the rendering.

Mr. Martin stated that the received the staff comments on July 17, and the date on the drawing is June 13, and he stated they had no chance to make any changes to reflect staffs recommendations, or to discuss with the staff what the changes should be. He stated that he agreed entirely with screening, even though this will be a well designed office building that blends in with the residential character of the area. He stated that they did not have any problem with providing screening.

The following people spoke in opposition to the proposed rezoning.

Pam (inaudible), resident of Reckweg Road.
Robert Vervalin, 5420 Maurane Drive
Janet Lepper, 4932 No Bend Drive
Diane Noble, President of Westmoor Neighborhood Assn

- intersection of Reckweg Road, North Bend Drive, and West Jefferson Bl is hazardous, this will add to an already dangerous

situation;
- felt the paraphernalia that is necessary to run an office use would cause an eyesore for the area (trash bins, utility lines);
- questioned how they would be able to widen W. Jefferson at this point if they allow for construction of an office development on this property;
- a resident was concerned that the property would not be maintained well, since it has not been maintained for the past 20 years;
- it was noted by one resident that if the zoning is approved that a 6 foot fence of screening of sometime should be made a condition to buffer the neighbors on North Bend Drive;

Diane Noble of the Westmoor Association representative stated that they would obviously prefer it stay residential but were understood that rezoning would be preferential to the developer, to the city and to them due to the existing Use Variance on the property. She stated that they were concerned about the noise and aesthetics but their major concern was the traffic hazard at that intersection and what the addition of more traffic at this intersection would cause.

In response to the question of widening W. Jefferson Bl., Mr. Greg Purcell, Executive Director of CD&P stated that at the Business Meeting on July 27, 1987 the PRC Group out of Chicago which has done a transportation study along the S.R. #14 and U.S. #24 corridor will be making a presentation to the Plan Commission, so the Plan Commission will have that information.

In rebuttal, George Martin stated that one of the reasons they are seeking the POD designation is to help with the traffic situation due to the lack of a sign not being allowed in the present zoning. He stated that this project has been reviewed and approved by traffic engineering with conditions. He stated that they are willing to meet the conditions of traffic engineering and they have also required that the developer submit a covenant which would cut off the use of the access on W. Jefferson once the frontage road is developed. He stated that they are not proposing to exit onto North Bend but onto W. Jefferson, it will be a right only. He stated the neighbors will be adequately screened.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

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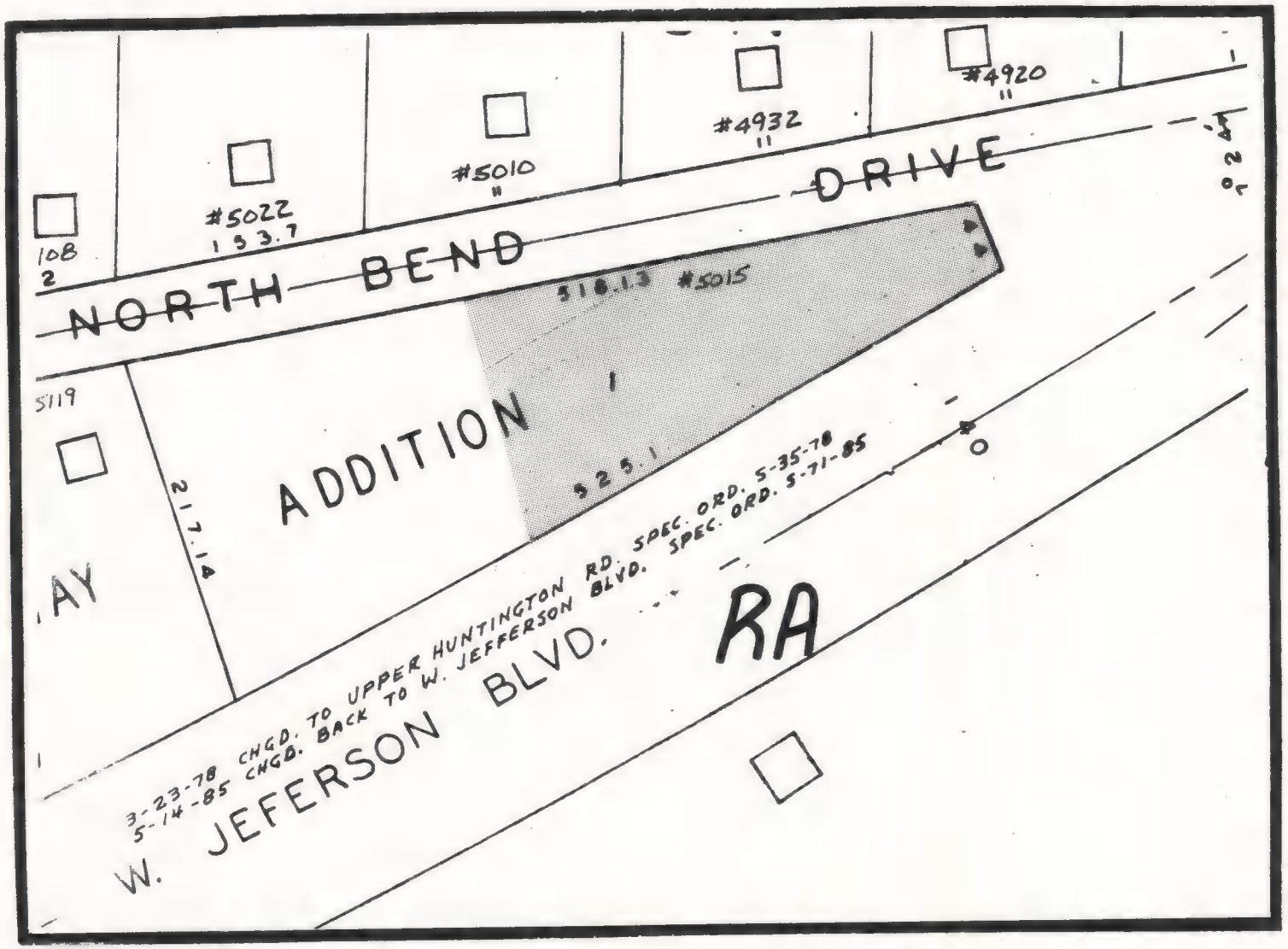
REZONING PETITION #288

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN RA DISTRICT TO A P.O.D. DISTRICT.

MAP NO. F-3

COUNCILMANIC DISTRICT NO. 4



ZONING:

RA RESIDENCE 'A'

LAND USE:

☐ SINGLE FAMILY

N

SCALE: 1"=100'

DATE: 6-30-87

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 14, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-07-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 20, 1987.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resoluton adopted at the meeting of the Fort Wayne City Plan Commission held July 27, 1987.

Certified and signed this
30th day of July 1987.

Robert Hutner
Secretary

Change of Zone # 288

George Martin, attorney for Dr. Ramesh Bhat, requests a change of zone from RA to POD.

Location: The intersection of North Bend Drive and Jefferson Blvd.

Legal: See file

Land Area: Approximately 0.64 Acres

Zoning: RA

Surroundings:			
	North	RA	Residential
	South	RA	Residential
	East	RA	Residential
	West	RA	Residential (POD pending)

Reason for Request: New medical clinic

Neighborhood Assoc.: Westmoor Park Neighborhood Association

Landscape: No comment.

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezonings and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The Goal in the West Sector, where this request is located, is to contain urban growth within the urban service line.

Neighborhood Plan: No comment.

Planning Staff Discussion:

This is an area that the Plan Commission has previously marked as being potentially suitable for Planned Office District development, incorporating buffering and frontage road techniques.

The Board of Zoning Appeals granted a Contingent Use for this property in 1967, allowing its use as a medical clinic. The development of this site under that use variance would still require the developer to seek another variance to allow for signage. By applying for the POD classification, the developer only has to deal with the Plan Commission to resolve the site plan itself, and to address signage.

The site is a prime candidate for POD use, as it is ideally situated to serve as a buffering mechanism, softening the impact of the West Jefferson Blvd. corridor from the residential uses to the north. The approval of this request would permit the coordination of this project with the project immediately west.

Recommendation: Do Pass

1) Approval would be in keeping with the Plan Commissions previously established policy regarding uses along this corridor.

2) Approval would represent the highest land use possible for this parcel.

3) Approval would not adversely impact the immediate area.

MARK GIAQUINTA
President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 100/87/D
101/87/E
102/87/D

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 100/87/D
101/87/E
102/87/D)

I hereby certify that I did this 27th day of July, 1987 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 100/87/D
101/87/E
102/87/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.

J. D. Conklin

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 100/87/D

(Adopted July 20, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-87 of said chapter delegates to this Board authority to NO PARKING (DELEGATED)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 16, 1987, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-87 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective July 20, 1987, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (DELEGATED)

Greenwood Avenue -- west side -- from the entrance to Swinney Park to 115' north thereof

REGULATORY RESOLUTION NO. 101/87/E

(Adopted July 20, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 16, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective July 20, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Lemar Drive -- stop -- for Dellview Drive

REGULATORY RESOLUTION NO. 102/87/D

(Adopted July 20, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to DELETE: PREFERENTIAL INTERSECTION (DELEGATED); and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 16, 1987, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective July 20, 1987, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

PREFERENTIAL INTERSECTION		(DELEGATED)
Lemar Drive	-- preferential --	at Dellview Drive

REGULATORY RESOLUTION NO. 98/87/E

(Adopted July 30, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 14, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective July 30, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Nokomis Road	--	stop	--	for Opeechee Way
Wawonaissa Trail	--	stop	--	for Opeechee Way
Hiawatha Blvd.	--	stop	--	for Opeechee Way
Hiawatha Blvd.	--	stop	--	For Owaissa Way
Hiawatha Blvd.	--	stop	--	for Ojibway Trail
Hiawatha Blvd.	--	stop	--	for Algonquin Pass
Nokomis Road	--	stop	--	for Indian Village Blvd.
Owaissa Way	--	stop	--	for Wawonaissa Trail
Wendigo Ln.	--	stop	--	for Meda Pass
Wawonaissa Trail	--	stop	--	for Ojibway Tr.
Wawonaissa Trail	--	stop	--	for Algonquin Pass

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

103/87/E	109/87/E
104/87/E	110/87/E
105/87/E	111/87/E
106/87/E	112/87/D
107/87/E	
108/87/E	

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 103/87/E, 104/87/E, 105/87/E, 106/87/E, 107/87/E, 108/87/E, 109/87/E, 110/87/E, 111/87/E, 112/87/D)

I hereby certify that I did this 4th day of August, 1987 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. see above of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.

Casetta R. [illegible]

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 103/87/E

(Adopted July 30, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 67/87/E: IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 30, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective July 21, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

1114 Nuttman Avenue — north side — from 120' west of Beaver Avenue to 20' west thereof

REGULATORY RESOLUTION NO. 104/87/E

(Adopted July 30, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 68/87/E: STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 21, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective July 30, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Dartmouth Drive — stop — for Elnora Drive

REGULATORY RESOLUTION NO. 105/87/E

(Adopted July 30, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 71/87/E: DELETE: 2 HR. PARKING 8 AM - 6 PM. (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 24, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective July 30, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

2 HR. PARKING 8 AM - 6 PM (EMERGENCY)

Berry Street — both sides — from Broadway to 65' east thereof

REGULATORY RESOLUTION NO. 106/87/E

(Adopted July 30, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 73/87/E: DELETE:

TRAFFIC SIGNAL (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 24, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective July 30, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

TRAFFIC SIGNAL (EMERGENCY)

Berry Street and Van Buren Street

REGULATORY RESOLUTION NO. 107/87/E

(Adopted July 30, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to 1 HOUR PARKING 8 AM - 6 PM (EMERGENCY) & DELETE: 2 HOUR PARKING 8 AM - 6 PM (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 30, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective July 28, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

1 HOUR PARKING 8 AM - 6 PM (EMERGENCY)

City-County Building Parking Lot — from a point 305' north of Main Street to 435' north thereof, thence east from Calhoun Street to Clinton Street

DELETE: 2 HOUR PARKING 8 AM - 6 PM (EMERGENCY)

City-County Building Parking Lot — from a point 405' north of Main Street to 435' north thereof, thence east from Calhoun Street to Clinton Street

REGULATORY RESOLUTION NO. 108/87/D

(Adopted July 30, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to DELETE: PREFERENTIAL INTERSECTION (DELEGATED) ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 14, 1987, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective July 30, 1987, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

PREFERENTIAL INTERSECTION (DELEGATED)

Ojibway Trail	-- preferential --	at Hiawatha Blvd.
Algonquin Pass	-- preferential --	at Hiawatha Blvd.
Indiana Village Blvd.	-- preferential --	at Nokomis Rd.
Wawonaissa Trail	-- preferential --	at Owaissa Way
Meda Pass	-- preferential --	at Wendigo Ln.
Ojibway Trail	-- preferential --	at Wawonaissa Trail
Algonquin Pass	-- preferential --	at Wawonaissa Trail

REGULATORY RESOLUTION NO. 109/87/E

(Adopted August 3, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 109/87/E: DELETE:

2 HR. PARKING 8 AM - 6 PM (TEMPORARY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 31, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 3, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

2 HR. PARKING 8 AM- 6 PM (TEMPORARY) (EMERGENCY)

Brackenridge Street — north side — from 20' west of Harrison Street to 40' west thereof

REGULATORY RESOLUTION NO. 110/87/E

(Adopted August 3, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 75/87/E: STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 31, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 3, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Kingsway Drive -- stop -- for Pacific Drive

REGULATORY RESOLUTION NO. 111/87/E

(Adopted August 4, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 76/87/E: STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 3, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 4, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Irene Avenue -- stop --for Poinsette Drive

REGULATORY RESOLUTION NO. 112/87/D

(Adopted August 4, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to PREFERENTIAL INTERSECTION (DELEGETED); and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 3, 1987, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective August 4, 1987, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Westbrook Drive -- preferential -- at Young Drive